



**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION
SUBDIVISION REPORT - CONCEPT**

▶ **FILE #:** 5-SC-07-C **AGENDA ITEM #:** 12
POSTPONEMENT(S): 5/10/2007 **AGENDA DATE:** 6/14/2007

▶ **SUBDIVISION:** LOYSTON ROAD SUBDIVISION

▶ **APPLICANT/DEVELOPER:** MELL MASHBURN

OWNER(S): Mell Mashburn

TAX IDENTIFICATION: 3 79

JURISDICTION: County Commission District 8

▶ **LOCATION:** South and north side Loyston Rd., west of Maynardville Pike.

SECTOR PLAN: North County

GROWTH POLICY PLAN: Rural Area

▶ **APPROXIMATE ACREAGE:** 59.6 acres

▶ **ZONING:** A (Agricultural)

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Detached residential subdivision

SURROUNDING LAND USE AND ZONING: North: Residences and vacant land / A (Agricultural)
South: Residences / A (Agricultural)
East: Residence and vacant land / A (Agricultural)
West: Residence and vacant land / A (Agricultural)

▶ **NUMBER OF LOTS:** 33

SURVEYOR/ENGINEER: Robert G. Campbell and Associates

ACCESSIBILITY: Access is via Loyston Rd., a minor collector street with a 21' pavement width within a 40' right-of-way, and Old Maynardville Pike, a local street (the portion of the road fronting this property has been closed for several years) with a 40' right-of-way.

ESTIMATED STUDENT YIELD: 16 (public and private school children, ages 5-18 years)

▶ **SUBDIVISION VARIANCES REQUIRED:**
1. Intersection spacing on Road A between Road B and Old Maynardville Pike, from 125' to 83.45'
2. Intersection spacing on Old Maynardville Pike between Road C and Draper Cemetary Rd., from 125' to 41.80'

STAFF RECOMMENDATION:

▶ **APPROVE** variances 1 & 2 because the site's topography restricts compliance with the Subdivision Regulations, and the proposed variances will not create a traffic hazard.

APPROVE the Concept Plan subject to the following 16 conditions:

1. Meeting all applicable requirements of the Knox County Health Department.
2. Provision of street names which are consistent with the Uniform Street Naming and Numbering System for Knox County (Ord. 91-1-102).
3. Placing a note on the final plat that all structures will have to be located at least 50' from the top of the sinkhole/closed contour area identified on the plat in the area of Lots 28 and 29. Construction within the 50' setback may be permitted if a geotechnical study prepared by a registered engineer states that building within

- the 50' sinkhole buffer is acceptable and the study is approved by the Knox County Department of Engineering and Public Works. Engineered footings may be required for any structures within the 50' sinkhole buffer.
4. Meeting all applicable requirements and obtaining all required permits from the Tenn. Dept. of Environment and Conservation (TDEC).
 5. If it is determined by TDEC that the drainage feature across Lots 28-32 is designated as waters of the State, a 30' buffer shall be shown on the final plat along the creek (15' on either side of the center of the creek).
 6. Placing a note on the concept plan that all intersection grades have been approved by the Knox County Department of Engineering and Public Works.
 7. Stormwater detention areas need to be located on more than one lot or identified as common area (Lots 2, 13 & 22).
 8. Placing a note on the final plat that Lots 10-21 and 23-32 shall have access from the Joint Permanent Easement (JPE) street system only. Lots 1-9, 22 and 23 shall have direct access to the public street system subject to providing turnaround driveways and each driveway having adequate sight distance.
 9. Certification on the final plat by the applicant's surveyor that the required 300' of sight distance exists in both directions along Old Maynardville Pike at the JPE entrances. The applicant's surveyor shall also mark the location of each proposed driveway onto Loyston Rd. and Old Maynardville Pike and meet with Knox County Department of Engineering and Public Works Staff to certify 400' of sight distance along Loyston Rd. and 300' along Old Maynardville Pike.
 10. Revising the concept plan to show the JPE extending to Lot 32 (not as a separate 40' easement) and moving the turnaround to the end of the JPE.
 11. Placing a note on the concept plan and final plat that the portion of Lot 28 that is located on the southeast side of the JPE is not a building lot.
 12. The final plat for any portion of the subdivision that will have access from Old Maynardville Pike shall not be submitted for review by the Planning Commission until the County re-opens Old Maynardville Pike for public use.
 13. Identifying the Minimum Floor Elevation (MFE) on the final plat for Lots 28-32.
 14. Meeting all other applicable requirements of the Knox County Department of Engineering and Public Works.
 15. Establishment of a homeowners association for the purpose of assessing fees for the maintenance of the Joint Permanent Easements and drainage system.
 16. A final plat based on this concept plan will not be accepted for review by MPC until certification of a design plan has been submitted to MPC Staff.

COMMENTS:

The applicant is proposing to subdivide this 59.6 acre tract into 33 lots at a density of 0.57 du/ac. The property is zoned A (Agricultural) which has a minimum lot size requirement of 1 acre. Proposed lots range in size from 1.03 acres to 4.84 acres. Seven of the proposed lots will have direct or shared access to Loyston Rd. Staff is recommending that each driveway location be certified for 400' of sight distance in each direction along Loyston Rd. The remaining 26 lots will have direct access to Old Maynardville Pike or from proposed Joint Permanent Easement off of Old Maynardville Pike. The portion of Old Maynardville Pike that fronts along this property has been closed for several years. The County will have to re-open this section of the road for this subdivision to go forward (see attached letter from Bruce Wuethrich).

The lots in the subdivision will be served by individual septic systems. The Knox County Health Department has submitted a letter regarding the use of subsurface sewage disposal systems (see attached letter). The problematic lots identified in the letter were based on earlier concept plan. The lots on the revised plan would be Lots 1, 2, 9, 10 and 31-33.

MPC's approval or denial of this request is final, unless the action is appealed to Knox County Chancery Court. The date of the Knox County Chancery Court appeal hearing will depend on when the appeal application is filed.



OFFICE OF COUNTY MAYOR

Department of Engineering & Public Works • 205 West Baxter Avenue, Knoxville, TN 37917

May 23, 2007

Robert G Campbell, Jr
Robert B. Campbell and Associates
7523 Taggart Lane
Knoxville, TN 37938

Re: Re-opening Old Maynardville Highway

Dear Mr. Campbell:

I am responding to your question regarding the intent of Knox County to re-open Old Maynardville Highway near Loyston Road. As you are aware, the road was closed due to mutual request of Knox County and the property owner to solve a trash dumping issue.

Since the right-of-way was not closed and is still owned by the county, Knox County will at its expense bring the road to a standard suitable for the expected volume from the new development and other local traffic.

We will need to coordinate this with the developer as we may not be able to bring it to standard immediately. We should schedule a meeting with him to determine an acceptable timetable.

Please let me know if you have questions.

Sincerely,

A handwritten signature in cursive script that reads "Bruce Wuethrich".

Bruce Wuethrich, Director
Knox County Department of Engineering & Public Works

5-SC-07-C



OFFICE OF COUNTY MAYOR

Department of Community Services • Knox County Health Department
140 Dameron Avenue, Knoxville, TN 37917--6413

May 10, 2007

R.G.C. & A.
7523 Taggart Lane
Knoxville, TN 37938

Re: Loyston Rd Concept Plan
CLT Map 3
PARCEL 79
59.6 Acres
34 Proposed Lots
Knox County, TN

To whom it may concern:

Knox County Health Department (KCHD) Personnel Darlene Gwaltney and Neil Hall completed a review of the Preliminary Soil Map of this site on May 9, 2007. Soil Consultant, Mark Dew's Preliminary Soil Map for this property was submitted to this office April 25, 2007. The majority of the soils were found to be MARGINAL to SEVERE with expected soil percolation rates of 75 to greater than 75 minutes per inch (MPI). Some severely limiting factors for drainfield installation exist in this proposed subdivision. They are as follows: steep slopes, gullied/eroded areas, rock ledges, rock outcrops, shallow depths to rock, low lying/potential flood plain areas, and heavy clay soils. In addition to these limiting factors, there is a TVA Power Line that crosses 8 lots, which will have an effect on house site choice. The obvious problematic lots are Lots 1, 2, 3, 10, 11, 32, 33 and 34. It is expected that after the High Intensity Soil Survey Map is completed, lots will have to be combined to better utilize the acceptable soil areas for a subsurface sewage disposal system (SSDS). A final determination for all of the lots will be made after the lots and easements have been marked in the field, necessary bush hogging is done, and the High Intensity Soil Map is completed for each lot.

Sincerely,

Darlene M. Gwaltney
Soil Scientist
Environmental Health Division